

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARK B. ARONSON,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 08-1368
)	
GREGORY NEU, individual and doing)	
business as EMERGING EQUITY ALERT,)	
)	
Defendant,)	
)	
vs.)	
)	
UNITED STATES MARSHALS SERVICE,)	
)	
Garnishee.)	

AMBROSE, Chief District Judge

ORDER OF COURT

AND now, this 4th day of November, 2008, upon consideration of Garnishee's Response Consenting to Plaintiff's Motion to Vacate his Default Judgment and Motion to Dismiss Plaintiff's Garnishment Action Against the United States Marshals Service (Docket No. 19), it is ordered as follows:

1. Plaintiff's Motion to Vacate, Strike and Set Aside the Default Judgment Against the United States Marshals Service (Docket No. 16) is granted¹ and the default judgment entered against the United States Marshals Service in the Court of Common Pleas of Allegheny County, Pennsylvania at Case No. GD-07-010484 is stricken and vacated;
2. Plaintiff's Motion for Bifurcation and Partial Remand (Docket No. 14) is denied as moot as Plaintiff withdrew the same (see Docket No. 18, ¶3);
3. Plaintiff's Motion to Dismiss Garnishment Action as to the United States Marshals Service (Docket No. 17) is granted²;

¹The United States Marshals Services's Motion to Vacate, Strike and Set Aside Default Judgment is denied as moot. (Docket No. 9).

²The United States Marshals Service's Motion to Dismiss is denied as moot. (Docket

4. All potential jurisdiction now lacking, Plaintiff's Motion for Remand (Docket No. 18) is granted³ and this case is hereby remanded to the Court of Common Pleas of Allegheny County, Pennsylvania.

BY THE COURT:

/s/ Donetta W. Ambrose

Donetta W. Ambrose

Chief U.S. District Judge

No. 10).

³Plaintiff's Motion to Remand to State Court (Docket No. 3) is denied as moot.